

REMARKS

Claim 5 has been canceled. Claims 1-4 and 6-14 remain pending in the application. Applicants amend claims 1, 7, 9-11, and 13 for clarification, and refer to Figs. 9A-9B and their corresponding description in the specification for exemplary embodiments of and support for the claimed invention. No new matter has been added.

The Examiner objected to claim 7 for an informality, which Applicants correct by amendment. The Examiner also objected to claim 11 for inconsistent claim terms. Applicants amend claim 11 to clearly and consistently claim “time slots.” Accordingly, Applicants respectfully request that the Examiner withdraw the claim objections.

Claims 1-4 and 6-14 stand rejected under 35 U.S.C. § 103(a) as being unpatenable over Applicants’ Admitted Prior Art (“AAPA”) in view of U.S. Patent No. 5,857,147 to Gardner et al. Applicants amend claims 1, 9-11, and 13 in a good faith effort to clarify the invention as distinguished from the cited references, and respectfully traverse the rejection.

The Examiner cited the description in Gardner et al. of decreasing and increasing the permitted average transmission data rate for all or a subset of mobile communications users based on determined total resource capacity usage as alleged suggestion of the features related to the claimed first and second bandwidths. Applicants respectfully point out to the Examiner that Gardner et al., as cited and relied upon by the Examiner, only describe decreasing the permitted average transmission data rate for all or a subset of mobile communications users based on total capacity usage, and, therefore, do not disclose or suggest the claimed features of: selecting a logical channel to which a first bandwidth has been allocated and on which data from a corresponding source has been transmitted; generating new logical channels each having a second bandwidth, which is obtained by dividing the first bandwidth by a predetermined integer; and allocating one of the new logical

channels to the corresponding source and the other of the new logical channels to a new source.

In other words, even assuming, arguendo, that it would have been obvious to one skilled in the art to combine AAPA and Gardner et al. at the time the claimed invention was made, such a combination would still have failed to disclose or suggest,

“[a] picture distribution system for distributing picture data from one or more sources to a plurality of receiving devices using a distribution device, the system comprising:

- a network where a plurality of logical channels are established in a time division multiplex method;
- the distribution device distributing picture data from the one or more sources to the plurality of receiving devices via a logical channel designated by a distribution instruction;
- the plurality of receiving devices receiving picture data from respective logical channels designated by receiving instructions; and
- an allocation unit allocating respective bandwidth to each of a plurality of logical channels used to transmit picture data according to a number of sources for picture data to be transmitted via the plurality of logical channels, wherein
 - said allocation unit allocates a predetermined first bandwidth to each of the logical channels when the number of sources for picture data to be transmitted via the plurality of logical channels does not exceed a predetermined threshold number, and when the number of sources for picture data to be transmitted via the plurality of logical channels exceeds the threshold number by having a new source added thereto, said allocation unit
 - a) selects one of the plurality of logical channels, on which picture data from a corresponding source has been transmitted, to which the first bandwidth has been allocated,
 - b) generates new logical channels each having a second bandwidth, which is obtained by dividing the first bandwidth of the selected logical channel by a predetermined integer, and
 - c) allocates one of the new logical channels to the corresponding source and the other of the new logical channels to the new source,” as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claims 2-4 and 6-8 dependent therefrom, is patentable over AAPA and Gardner et al., separately and in combination, for at least the foregoing reasons. Claims 9-11 and 13 incorporate features that

correspond to those of claim 1 cited above, and are, therefore, together with claims 12 and 14 dependent from claims 11 and 13, respectively, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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